

Walter O'Cheskey
 Chapter 13 Trustee
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IN THE UNITED STATES BANKRUPTCY COURT
 NORTHERN DISTRICT OF TEXAS
 ABILENE DIVISION

IN RE:

TIMOTHY PAUL DEARING

CASE NO: 13-10083-RLJ-13

HEARING DATE: 1/2/2014

HEARING TIME: 11:00 AM

**TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND
 PLAN MODIFICATION (if required)**

NOW COMES Walter O'Cheskey, Chapter 13 Trustee, and files this Proposed Trustee's Recommendation Concerning Claims and Plan Modification (if required) in accordance with Bankruptcy Rule 3007 and General Order 2010-01 and would respectively show unto to the Court as follows:

I.

OBJECTION -- NO PROOF OF CLAIM FILED

The following creditors were scheduled by the Debtor(s). No Proof of Claim has been filed by them or on their behalf, as required by Bankruptcy Rule 3002(a). The bar date for filing claims pursuant to Bankruptcy Rule 3002(c) has passed. Therefore the claims should be DISALLOWED.

Trustee Clm#	Creditor Name	Scheduled Amount	Trustee Clm#	Creditor Name	Scheduled Amount
016 0 U	CITIBANK SD NA	\$8,253.00	017 0 U	CPU CITI CONOCO PHILLIPS UNION	\$398.00

II.

SPECIFIC OBJECTIONS

No Objections

III.

TRUSTEE'S RECOMMENDATIONS CONCERNING ALLOWED CLAIMS

The Trustee hereby recommends the ALLOWANCE of the following claims for the amount and in the class as listed below.

Trustee Claim #	Creditor	Collateral / Description	Claim Amount	Value	%	Term	Paid / Treated
<u>SECURED CREDITORS</u>							
008 0	CAPITAL ONE NA	PURCHASES/BEST BUY	\$1,617.47	\$400.00	5.25%	60	\$9.55 PAID BY TRUSTEE
009 0	NAVY FEDERAL CREDIT UNION	2009 MAZDA 6	\$15,738.95	\$10,575.00	5.25%	60	\$252.13 PAID BY TRUSTEE
013 0 *	FREEDOM MORTGAGE	5326 VISTA SANTA MARGARITA	\$0.00	\$349,456.00			SURRENDERED
014 0 *	SAN DIEGO COUNTY TREASURER	PROPERTY TAXES/5326 VISA SANTA MARGARITA	\$0.00	\$5,597.64			SURRENDERED

UNSECURED GENERAL CREDITORS

Trustee Clm#	Creditor Name	Claim Amount	Trustee Clm#	Creditor Name	Claim Amount
008 1 U	CAPITAL ONE NA	\$1,217.47	009 1 U	NAVY FEDERAL CREDIT UNION	\$5,163.95
	SPLIT CLAIM/BEST BUY			SPLIT CLAIM/2009 MAZDA	
010 0 U *	NAVY FEDERAL CREDIT UNION	\$14,677.04	011 0 U *	NAVY FEDERAL CREDIT UNION	\$2,913.42
	CROSS COLLATERAL SIGNATURE LOAN/\$0 VALUE			CROSS COLLATERAL SIGNATURE LOAN/\$0 VAL	
012 0 U *	NAVY FEDERAL CREDIT UNION	\$2,267.25	015 0 U	FIA CARD SERVICES NA	\$6,649.99
	CROSS COLLATERAL SIGNATURE LOAN/\$0 VALUE			PURCHASES	
018 0 U	CREDIT FIRST NA	\$725.54	019 0 U	PRA RECEIVABLES MANAGEMENT	\$483.18
	PURCHASES			PURCHASES/CHEVRON TEXACO CREDIT CARD	
020 0 U	BECKET & LEE LLP	\$999.73	021 0 U	NAVY FEDERAL CREDIT UNION	\$15,501.24
	PURCHASES/KOHL'S CAPITAL ONE			PURCHASES	

If the Trustee's recommendation concerning any claim differs from the amount indicated in a creditor's Proof

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of Claim, the recommendation is deemed an objection to such claim. Unless a timely reponse or objection is filed contesting the Trustee's recommendation, the objection will be sustained and such claim will be allowed only in the amount and in the class indicated.

Any proposed changes by the Debtor that extends the term or lowers the interest rate as to any secured claim contained in the confirmed Plan must be set out in a Debtor's Objection or Response to the Trustee's Recommendation Concerning Claims and noticed to the affected creditor in the absence of a letter agreement between the Debtor and the affected creditor.

IV.

TRUSTEE'S PLAN MODIFICATION

Pursuant to 11 U.S.C. Section 1329, and in accordance with General Order 2010-01 Section 8, the Trustee requests the following Modification of Debtor's(s') Confirmed Plan, subject to feasibility herein:

No Modification Needed

/s/ Walter O'Cheskey

Walter O'Cheskey
Chapter 13 Trustee

IF AN OBJECTION IS FILED, A HEARING WILL BE HELD 1/2/2014 AT 11:00 AM CONCERNING THE TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND PLAN MODIFICATION (IF REQUIRED) (TRCC) AT THE FOLLOWING LOCATION:

VIDEO: US COURTHOUSE ROOM 2201, 3RD & PINE, ABILENE, TEXAS 79604

A PRE-HEARING CONFERENCE WITH THE TRUSTEE SHALL BE HELD AT THE SAME LOCATION AT 8:30am. ALL PARTIES ARE REQUIRED TO ATTEND THE PREHEARING CONFERENCE. ANY OBJECTIONS TO THE PLEADINGS NOT RESOLVED OR DEFAULTED AT THE PRE-HEARING CONFERENCE WILL BE HEARD BY THE COURT AT THE HEARING DATE AND TIME ABOVE. TO BE CONSIDERED, ANY OBJECTION OR RESPONSE MUST BE MADE IN WRITING, SERVED ON ALL EFFECTED CREDITORS AND FILED WITH THE COURT WITHIN THIRTY (30) DAYS FROM THE DATE OF SERVICE.

PURSUANT TO GENERAL ORDER 2010-01 SECTION 8(C), UNLESS AN OBJECTION IS TIMELY FILED AS TO THE TREATMENT OF ANY CLAIM OR MODIFICATION, THE CLAIM OR MODIFICATION WILL BE ALLOWED OR APPROVED AS DESCRIBED IN THE TRCC AND SUCH TREATMENT WILL BE FINAL AND BINDING ON ALL PARTIES.

/s/ Walter O'Cheskey

Walter O'Cheskey
Chapter 13 Trustee

I hereby certify that a copy of the foregoing Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) and Notice of Hearing and Pre-Hearing Conference on Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) was this date served on the following parties electronically or at the addresses listed below by U.S. First Class mail:

Date: 11/20/2013

/s/ Walter O'Cheskey

Walter O'Cheskey
Chapter 13 Trustee

BANK OF AMERICA PO BOX 982235 EL PASO TX 79998
BECKET & LEE LLP ATTORNEYS AT LAW 16 GENERAL WARREN, PO BOX 3001 MALVERN PA 19355
CAPITAL ONE NA C/O BASS & ASSOCIATES PC 3936 E FT LOWELL RD SUITE 200 TUCSON AZ 85712
CAPITAL ONE/BEST BUY PO BOX 30253 SALT LAKE CITY UT 84130
CITIBANK PO BOX 790034 ST LOUIS MO 63179
CITIBANK SD NA ATTN: CENTRALIZED BANKRUPTCY PO BOX 20363 KANSAS CITY MO 64195
CPU CITI CONOCO PHILLIPS UNION ATTN CENTRALIZED BANKRUPTCY PO BOX 20507 KANSAS CITY MO 64195
CREDIT FIRST NA PO BOX 818011 CLEVELAND OH 44181
CREDIT FIRST/CFNA/FIRESTONE BK 13 CREDIT OPERATIONS PO BOX 818011 CLEVELAND OH 44181
FIA CARD SERVICES NA 4161 PIEDMONT PARKWAY NC4 105 03 14 GREENSBORO NC 27410
FIA CARD SERVICES NA PO BOX 15102 WILMINGTON DE 19886
FREEDOM MORTGAGE PO BOX 8068 VIRGINIA BEACH VA 23450
GECRB/CHEVRON BANKRUPTCY DEPARTMENT PO BOX 103104 ROSWELL GA 30076
INTERNAL REVENUE SERVICE PO BOX 7317 PHILADELPHIA PA 19101
INTERNAL REVENUE SERVICE PO BOX 7346 PHILADELPHIA PA 19101
KOHLS/CAPONE N56 W 17000 RIDGEWOOD DR MENOMONEE FALLS WI 53051
NAVY FEDERAL CREDIT UNION ATTENTION: BANKRUPTCY PO BOX 3000 MERIFIELD VA 22119
NAVY FEDERAL CREDIT UNION PO BOX 3000 MERRIFIELD VA 22119
PRA RECEIVABLES MANAGEMENT PORTFOLIO REC ASSOC PO BOX 41067 NORFOLK VA 23541
PRA RECEIVABLES MANAGEMENT PORTFOLIO RECOVERY ASSOC PO BOX 12914 NORFOLK VA 23541
SAN DIEGO COUNTY TREASURER 1600 PACIFIC HWY RM 162 SAN DIEGO CA 92101
SCOTT B WASCHER JR 5326 VISA SANTA MARGARITA SAN DIEGO CA 92154
TIMOTHY PAUL DEARING 8626 VALLEY RANCH PKWY APT 3120 IRVING TX 75063
UNITED STATES ATTORNEY 801 CHERRY STREET UNIT 4 FT WORTH TX 76102
US ATTORNEY ATTORNEY IN CHARGE 1100 COMMERCE STREET SUITE 300 DALLAS TX 75242
US ATTORNEY GENERAL 10TH ST & CONSTITUTION AVE WASHINGTON DC 20530